

From: [Algoe-Eakin, Amy](#)
To: [R7 AWMD-APDB](#); [Peter, David](#)
Cc: [Meyer, Jonathan](#); [Skelley, Dana](#); [Smith, Mark A.](#); [Smith, John](#); [Weber, Rebecca](#); [Davis, Michael](#); [Grooms, Leland](#)
Subject: FYI- SO2 designations in the news
Date: Thursday, February 18, 2016 7:15:24 AM

Daily News- <http://insideepa.com/daily-news/epa-downgrades-several-states-so2-naaqs-attainment-designations>

I highlighted reference to a R7 state--- AAE

EPA Downgrades Several States' SO2 NAAQS Attainment Designations

February 17, 2016

EPA is proposing to downgrade several states' designations for attaining the agency's 2010 sulfur dioxide (SO₂) national ambient air quality standard (NAAQS), in many cases rejecting state suggestions to designate their areas as meeting the standard and instead given the areas a “nonattainment” or “unclassifiable” status.

States are eager to avoid nonattainment designations, which require them to develop [state implementation plans](#) showing the strict SO₂ air pollution measures they will impose to comply with the NAAQS. Areas in nonattainment face tougher emissions control mandates, including stricter air permit conditions for industrial facilities.

EPA's SO₂ designations are years behind schedule, with the agency having designated only a small portion of the country so far, prompting environmental groups and others to sue the agency seeking designation of all areas. Under a settlement with environmentalists, EPA has until the end of 2020 to complete designations, allowing states time to set up a new air quality monitoring network needed to measure compliance with the standard.

States, meanwhile, are still challenging the schedule agreed with environmental groups as unlawfully slow, seeking to force EPA to issue either attainment designations or “unclassifiable” designations, which also avoid the requirement to install pollution controls, pending future re-designation. The state's challenge, in *Sierra Club and Natural Resources Defense Council v. Regina McCarthy*, is pending before the U.S. Court of Appeals for the 9th Circuit.

In recent letters to states, EPA issues its response to the states' recommendations for which areas should be classed as attaining the 2010 one-hour SO₂ NAAQS of 75 parts per billion (ppb), in another round of area designations being conducted on the court-mandated schedule under the consent decree with environmentalists.

Under the settlement agreement schedule, EPA must finalize designation of

the areas in question by July 2. These are areas that either have newly monitored violations of the 2010 SO₂ NAAQS since the first wave of designations, or which contain stationary sources that had not been announced as of March 2, 2015, for retirement and that according to the EPA's Air Markets Database emitted in 2012 either more than 16,000 tons of SO₂ or more than 2,600 tons of SO₂ with an annual average emission rate of at least 0.45 pounds of SO₂ per one million British thermal units.

Downgraded Designations

In [the new list of proposed nonattainment designations](#) released Feb. 17, EPA has in several instances downgraded states' recommended attainment status for areas within their jurisdiction.

In one example, EPA has downgraded the status of Marion, IL, from the state's recommended designation of attainment to nonattainment. EPA does the same for Jefferson County and Posey County, IN, and De Soto Parish, LA. In many areas, EPA has downgraded states' recommended "attainment" designations to "unclassifiable."

In total, the agency is designating 31 areas in 24 states unclassifiable/attainment, 23 as just "unclassifiable," and 12 as "nonattainment." Areas labeled "unclassifiable/attainment" are treated as in "attainment," EPA says.

This compares to states' recommendations of 55 areas as either "attainment" or "unclassifiable/attainment," three areas in attainment, and eight as just "unclassifiable." Areas labeled "unclassifiable/attainment" lack the data supporting attainment designations, but are nonetheless assumed to meet the SO₂ standard.

Environmentalists issued a mixed response to the agency's designations. Sierra Club in Feb. 17 statements welcomed the agency's designations of areas in Maryland and Missouri as nonattainment, stressing the need for continued clean-up of emissions from coal-fired power plants.

However, the group in a third statement also said EPA had "overlooked major potential hotbeds of [SO₂] pollution in Illinois when it failed to designate several areas 'non-attainment' despite detailed modeling data that show added protection is needed to protect communities in these areas." The areas in question are Massac, Jasper and Williamson Counties in southern Illinois.

EPA will issue [a Federal Register notice](#) in the near future which will open a 30-day public comment period on the designations, the agency says. --

Stuart Parker (sparker@iwpnews.com)

Related News | [Air](#) |

188950